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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

**MONRELL D. MURPHY,**

Plaintiff,

v.

**C. ELSTON, et al.,**

Defendants.

Case No. 2:19-cv-2632 KJM AC P

**STIPULATION FOR VOLUNTARY  
DISMISSAL WITH PREJUDICE OF  
DEFENDANT SMITH  
(Fed. R. Civ. P. 41(a)(1)(A)(ii));  
~~PROPOSED~~ ORDER**

Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Monrell D. Murphy and Defendants stipulate to the dismissal with prejudice of Defendant Smith from this action.

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Plaintiff and Defendant Smith shall bear their own litigation costs and attorney's fees.

It is so stipulated.

Dated: 11/22/2021

/s/ Monrell D. Murphy

MONRELL D. MURPHY

Plaintiff

Dated: 12/10/2021

/s/ Matthew Ross Wilson

Matthew Ross Wilson

Deputy Attorney General

California Attorney General's Office

Attorneys for Defendants Elston, Betinis, Smith,  
and Agredano

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### ORDER

Based on the parties' stipulation, Defendant Smith is dismissed with prejudice.

IT IS SO ORDERED.

DATED: December 10, 2021



ALLISON CLAIRE

UNITED STATES MAGISTRATE JUDGE